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District of Arizona*

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MEXICAN POLICE OFFICIAL ARRESTED FOLLOWING DRUG TRAFFICKING INDICTMENT

TUCSON, Ariz.- On February 1, 2006, Mexican Policia Preventiva Federal Officer Ruben Rochin-Gutierrez, 39, of Navajoa, Sonora, Mexico, made his initial appearance here before U.S. Magistrate Judge Jacqueline Marshall on federal drug trafficking violations. Rochin-Gutierrez was arrested without incident on January 31, 2006, by Special Agents of the FBI in Tucson, Ariz. A federal grand jury in Tucson, Ariz., had previously returned a three-count indictment against Rochin-Gutierrez on November 16, 2005, for conspiracy to possess with intent to distribute approximately 9,500 pounds of marijuana and other drug trafficking charges.

U.S. Attorney Paul K. Charlton praised the investigation for rooting out and exposing public corruption, and stated that "law enforcement officials on both sides of the border are expected not only to enforce the law but to personally uphold it as well."

Special Agent in Charge of the FBI Phoenix Division, Jana D. Monroe, stated, "obviously corruption cannot be tolerated on either side of our border with Mexico. However, the FBI continues to work well with Mexican law enforcement agencies in a cooperative effort to combat corruption and crime that undermine the integrity of both our countries."

The indictment alleges that from an unknown date until November 16, 2005, in Tucson, Nogales, Ariz. and elsewhere, Rochin-Gutierrez conspired with others to possess with intent to distribute approximately 9500 pounds of marijuana. Count 2 of the indictment alleges that on April 17, 2003, Rochin-Gutierrez possessed with intent to distribute approximately 2,969 pounds of marijuana. Count 3 of the indictment alleges that on December 16, 2004, Rochin-Gutierrez possessed with the intent to distribute approximately 3,520 pounds of marijuana. Rochin-Gutierrez is employed as a police officer by the Mexican Policia Preventiva Federal de Camino.

His detention hearing and arraignment are set for Friday, February 3, 2006. Convictions for Conspiracy to Possess with Intent to Distribute 1000 kilograms or more of marijuana, and for Possession with Intent to Distribute 1000 kilograms or more of marijuana, each carry a maximum penalty of life in prison, a \$4,000,000 fine or both. In determining an actual sentence, Judge Roll will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by the FBI, with assistance from the Pima County Sheriff's Department, the Drug Enforcement Administration, U.S. Immigration and Customs Enforcement and the Tucson Police Department. The prosecution is being handled by Mary Sue Feldmeier, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

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